

REMARKS

Summary of Office Action

Claims 2-5 and 8-11 were pending in this application. Claims 2-5 and 8-11 were rejected under 35 U.S.C. § 102(b) for being anticipated by Strubbe et al. U.S. Patent No. 5,047,867 ("Strubbe"). Claims 2-4 and 8-10 were rejected under 35 U.S.C. § 103(a) as being obvious from Ullrich U.S. Patent No. 5,583,937 ("Ullrich") in view of Strubbe.

Summary of Applicants' Response

Applicants have amended claims 2 and 8 and added new claims 14-25 to more particularly define the invention. Applicants have also cancelled claims 6, 7, 12, and 13 without prejudice. Applicants respectfully submit that these amendments and new claims are fully supported by the originally-filed application (see, e.g., FIGs 1 and 2; page 4, line 33 through page 5, line 8; page 7, line 23 through page 8, line 2; and page 9, lines 12-24) and applicants' U.S. Patent Application No. 08/066,666, of which this application claims priority (see, e.g., FIG. 1; page 118, lines 18-21; page 121, lines 30-35; page 122, lines 11-25; page 123, lines 31-33; and page 124, lines 18-21).

Because neither Strubbe nor Ullrich, whether taken alone or in combination, shows or suggests each of the above feature of applicants' claims, the Examiner's rejections of the claims should be withdrawn. Further remarks relating to the claim rejections follow.

Applicants' Independent Claims

Applicants' amended independent claims 2 and 8 are directed towards a system and method for displaying a video clip for a television program upon viewer selection of a corresponding television program listing from a television program guide displayed on a display screen. Video clips are stored and associated with television program listings. A television program guide is displayed on the display screen that includes some of the television program listings, and a user can select one of the television program listings from the guide. The stored video clip associated with the selected television program listing is retrieved upon selection of the television program listing. The retrieved video clip is displayed on the display screen. The selected listing and displayed video clip correspond to a program that is scheduled for future broadcast.

Applicants' Response to the Examiner's § 102  
and § 103 Rejections of Claims 2-5 and 8-11

The Examiner rejected applicants' independent claims 2 and 8 under § 102(b) as being anticipated by Strubbe as well as under § 103(a) as being obvious from Ullrich in view of Strubbe. The Examiner's rejections are respectfully traversed. Applicants respectfully submit that whether taken alone or in combination, neither Ullrich nor Strubbe show or suggest each and every element of applicants' claims. Specifically, applicants respectfully submit that neither Ullrich nor Strubbe show or suggest "retrieving [a] stored video clip associated with [a] selected television program listing upon selection of

[a] television program listing from [a] television program guide" as required by applicants' independent claims 2 and 8.

Applicants' Response to the Rejections in view of Strubbe

Strubbe refers to an interface for a TV-VCR system that displays program description pages (Strubbe, col. 4, lines 5-19). The program description pages may include a "frozen" PIP representation of a scene from a particular program which is encoded and stored with other information describing the program (Strubbe, FIG. 6b, col. 5, ll. 32-37). This may only be done during an actual broadcast of the particular program using known PIP circuitry (Strubbe, col. 5, lines 37-39). In addition, a menu page for Favorite and Future Programs may be displayed (Strubbe, FIGs. 6a-8b). Pressing the "Change B" button on the remote control unit at such a menu toggles whether a reminder for a program will be displayed. When this reminder is set for a particular program, at the start time of the program a PIP display may show the initial 10 seconds of the program (Strubbe, col. 6, ll. 40-49 and col. 10, lines 6-12).

Applicants respectfully submit that Strubbe does not show or suggest "retrieving [a] stored video clip associated with [a] selected television program listing upon selection of the television program listing from [a] television program guide." Instead, Strubbe discusses the display of 1) a "frozen" PIP representation of a scene from a particular program on a program description page; and 2) the initial 10 seconds of a program in a PIP display as part of a reminder or

announcement. As set forth below, neither of these features of Strubbe is a stored video clip that is associated with a selected television program listing and retrieved upon selection the television program listing from a television program guide.

First, Strubbe's frozen PIP display is not a video clip as required by applicants' claims. On page 3 of the Office Action, the Examiner argues that a frozen PIP display is a video clip because, in the Examiner's words, "a video clip is shown to be a preview of a TV program in paragraph 15 of the instant application." Applicants respectfully submit that the Examiner is completely misconstruing applicants' definition of a video clip. Paragraph 15 of applicants' specification states: "In each format, video clips or previews of a television program to be telecast in the future are displayed in PIP window 42 in the form of complete, moving images" (emphasis added). By using the disjunctive "or", this portion of applicants' specification makes it clear that a video clip is different from a preview. Therefore, the Examiner's argument that Strubbe's frozen PIP display is a video clip because it merely provides a preview of a program is unsupported. Thus, Strubbe's frozen PIP display is not a video clip, as required by applicants' claims.

Second, Strubbe's PIP display of the initial 10 seconds of a program is not a stored and retrieved video clip, as required by applicants' claims. Instead, it is a display of broadcast programming using conventional PIP circuitry. As detailed in Strubbe:

[A]t the start of a Future Program if another program is being watched, the PIP may display the initial 10 seconds of the Future Program allowing the user to selectively switch to the program if desired by swapping the PIP and the main display. (Strubbe, col. 10, ll. 6-12).

Showing the initial ten seconds of a program as that program is being broadcast amounts to nothing more than displaying currently broadcast programming in a PIP window. Broadcast programming is not stored and is thus different from applicants' claimed video clip that is stored and retrieved. For at least these reasons, Strubbe does not show or suggest retrieving a stored video clip associated with a selected television program listing upon selection of the television program listing from a television program guide.

Applicants' Response to the Rejections in view of Ullrich

Ullrich does not make up for the deficiencies of Strubbe relative to the rejection. Ullrich refers to a system that provides promotional channels over which program previews are continuously broadcast and displayed to users in an order defined by a master scheduling computer (i.e., the order in which the program previews are displayed is not controlled by the user) (Ullrich, col. 3, ll. 15-23, col. 4, l. 51 to col. 5, l. 3 and FIG. 2). Program previews from the promotional channel can also be broadcast and displayed on the television channels corresponding to one or more video program players (Ullrich, col. 5, ll. 25-30). The Ullrich system also refers to using character generator 22 to provide a text menu

representing a program schedule to users via cable headend 12 (Ullrich, col. 5, ll. 4-13).

Ullrich does not show or suggest retrieving a stored video clip associated with a selected television program listing upon selection of the television program listing from a television program guide. Instead, Ullrich discusses promotional channels over which program previews are continuously broadcast and displayed to users in an order defined by a master scheduling computer. These broadcast program previews are not retrieved "upon selection of [a] television program listing from [a] television program guide," as required by applicants' claims. On pages 3 and 4 of the Office Action, the examiner insists that col. 6, line 25 through col. 8, line 49 show user selection of a television program listing. However, these portions of Ullrich discuss the display of a text menu representing a schedule and nowhere does Ullrich show or suggest the ability to select a program listing from the text menu to tune to a promotional channel, let alone to retrieve a stored video clip. Presumably, to tune to the promotional channel the user must manually enter the channel number of the promotional channel by, for example, pressing buttons corresponding to that number on a remote. Further, even if tuning to the promotional program in such a manner was a selection of a listing, because the program previews are displayed continuously in a pre-defined order Ullrich would still fail to show or suggest retrieving from storage the clip associated with the selected listing upon selection of that listing.

For at least these reasons, Ullrich and Strubbe, whether taken alone or in combination, do now show or suggest retrieving a stored video clip associated with a selected television program listing upon selection of the television program listing from a television program guide. Accordingly, applicants respectfully submit that the Examiner's rejection of independent claims 2 and 8 should be withdrawn.

For at least these reasons, applicants' claims 2 and 8 are patentable over the prior art of record. Claims 3-5 and 9-11 depend from independent claim 2 or 8 and therefore are also patentable.

Applicants' New Claims 14-25

Applicants have added new claims 14-25 in order to more particularly define the claimed invention. As argued above, applicants' independent claims 2 and 8 are allowable. Therefore, for at least the same reasons, new claims 14-25, which depend from claims 2 and 8, should also be allowed.

Application No. 10/753,090  
Final Office Action of: 07/31/2008  
Amendment dated: 02/02/2009

Conclusion

For at least the foregoing reasons, applicants respectfully submit that this application, as amended, is in condition for allowance. Reconsideration and prompt allowance of this application are respectfully requested.

Respectfully submitted,

/Matthew S. Bertenthal/

---

Matthew S. Bertenthal  
Reg. No. 61,129  
Agent for Applicants  
Customer No. 75563